

birth abortion is not a rare procedure. It happens all the time, and it is not limited to mothers and fetuses who are in danger. It is performed on healthy women and healthy babies all the time, and that is what the facts are.

Mr. President, it is true that everyone is entitled to his or her own opinion, but people are not entitled to their own facts. On partial-birth abortion, the facts are out, the facts are clear, and I join our distinguished colleague, the senior Senator from New York, in hoping, as he was quoted this weekend, in light of these facts, that the President will reverse his decision to veto this bill.

Mr. President, it would seem fairly simple that when one makes a decision, in this case President Clinton's decision to veto this bill that was passed overwhelmingly by the House and overwhelmingly by the Senate, that when he made his decision to veto the bill and when he publicly stated why he made that decision to veto the bill, when it turns out later that the facts are proven to be false, the underlying facts, the underlying rationale by which he apparently made his decision, it would seem that it would not be too hard for the President then to change his mind, based on a new understanding of what the facts truly are.

We will be debating this issue again on the floor, we will be holding hearings again in the Judiciary Committee, and we will be back out here again talking about this very important matter. I hope that as we do that, my friends and colleagues who opposed us on this issue will remember what Mr. Fitzsimmons said, what he said when he could no longer apparently stand it anymore, that he had, in fact "lied through his teeth," that the facts he gave the public, the facts he gave Congress, the facts he gave the President were simply not true.

I thank the Chair and yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. I thank the Presiding Officer and appreciate the opportunity to come to the floor.

COMPLIMENTING SENATOR JOHNSON ON HIS MAIDEN SPEECH IN THE SENATE

Mr. DASCHLE. Mr. President, let me begin by complimenting the junior Senator from South Dakota on his maiden speech in the U.S. Senate. As all of us recall, those are very important moments in the career of any Senator, and I appreciate very much having had the opportunity to listen to him. I applaud him for his comments and wish him well in his many years of service in the U.S. Senate.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. DASCHLE. Mr. President, I did not have the opportunity to hear our majority leader last week discuss matters of concern to him, especially as they related to the balanced budget amendment. But I was disappointed to read press reports, and then read the RECORD this morning, with regard to some of his comments relating to some of our colleagues.

He has noted on the floor that in the past, this has been a positive debate, an instructive debate and a debate that clarifies differences among us. I think that characterization is accurate. Oftentimes on the Senate floor, in heated debate, we say and espouse things we wish we could take back later. But this debate has largely been devoid of that. I think that has been productive and ought to be the way we conduct ourselves.

So it was somewhat surprising to me to hear the majority leader so personally attack some of our colleagues and express himself as he did. It was, in my view, uncharacteristic of the majority leader. I hope that we can retain the level of decorum and the level of civility on the Senate floor that will lend itself to a good debate on this and many other very controversial and extraordinarily contentious issues in the future. We, as leaders, need to set the example. We, as leaders, need to demonstrate that there is a threshold of civility and a standard which we should follow that, in my view, ought to be demonstrated first and foremost by the leadership.

I know of many cases where colleagues on the Senate floor, Republican and Democratic, have taken positions on any one of a number of issues and concluded, having been presented with more information, that the original position they took was not one they could accept now. That has happened in cases involving constitutional amendments, involving statutory law, and involving other legislation. I hope it would be the way we conduct ourselves in considering many of the issues affecting our country and its future.

Obviously, with new information, and under different circumstances, one comes to different conclusions. I, myself, faced a similar set of circumstances early on. I have always wanted to be on the side of those supporting a constitutional amendment to balance the budget.

On reflection, much of the language that we have resorted to in the past, that we have used in the past, is language that, in retrospect, is not as appropriate for the Constitution as we had originally thought it might be.

I am very concerned about the implications of any amendment to the U.S. Constitution, but especially one involving our economy, especially one involving our own fiscal responsibility, especially one involving our ability to cope with a myriad of circumstances that

this country is going to confront at some point in the future.

So clearly, as my colleagues have indicated, new information has been presented to us this year. We have received new information from the Congressional Research Service, new information from the Office of Management and Budget, and new information from the Treasury Department, all reporting that the circumstances involving the Social Security trust fund are vastly different than what we were originally led to believe during the 1980's.

There is a difference in the interpretation of the Social Security trust fund than what I was originally presented as fact in years past. What we are now told, not by some partisan organization but by the nonpartisan Congressional Research Service, and by the Office of Management and Budget, is that funds used for Social Security purposes are going to have to be offset with other funds, such as tax increases or spending cuts, in order to be paid out at an appropriate time in the future.

Now, if we worked for a company and we were told that we had invested a certain amount of dollars—say \$100,000—in our own retirement fund and then told that, before we could draw those funds out, the company would have to replenish those funds with other funds in order for that to be available, Mr. President, I think every single prospective retiree would feel very cheated. They would feel robbed.

Yet, that is exactly the circumstances now with the Social Security trust fund. Workers are paying into that fund with the expectation that it would be paid out in time to those who paid in. That will not be the case if we enshrine in the Constitution the utilization of the Social Security trust fund for purposes other than Social Security.

The same can be said for the capital budget. I know that we could have a good debate for days about whether or not we have a capital budget in this country. We all recognize that most States have them. We recognize that most businesses have them. There is not a family I know of, that pays off its mortgage in any one year. Families, businesses, and States currently have capital budgets or a very similar budgeting concept that allow them to differentiate between long-term investment and operating expenses. My family does that. My father's business used to do that.

The question is, Should we as a country do that at some point in the future? I think the answer is resoundingly, yes, we should. We need to differentiate between long-term investment and capital costs.

Mr. President, we are not doing that. But whether we subscribe to that concept or not, the question should be, Should we forevermore preclude this country from even considering a capital budget? We are now told by the Congressional Research Service that we will preclude the consideration of a